

REMARKS

1. The Office Action has rejected Claims 1, 10 – 13 and 15 – 16 under the provisions of 35 U.S.C. §102(e) as being unpatentable over U. S. Patent No. 6,926,295 (Berkebile). The Office Action states that the Berkebile reference teaches a control module for a movable running board that includes a memory module for storing previously defined positions. This rejection is respectfully traversed.

Applicant would direct the Examiner's attention to the amendments to Claims 2, 10 and 16 to define Applicants' invention over the cited prior art reference. With respect to Claim 2, which as noted below has been indicated as containing allowable subject matter, Applicants' amendment places Claim 2 in independent form to place this claim in condition for allowance.

Applicants have amended independent Claim 10 to define that the stored deployed position is defined by manually moving the running board into the desired operative position. Similarly, Claim 16 has been amended to place the claim into independent form and to specify that the previously defined deployment position is established manually before being stored in said memory module. The Office Action has indicated that dependent Claims 14 and 17, which include the limitation of a position switch for positioning the running board in the manually selected position for storage in the memory module, would be allowable if placed into independent form.

Applicants have amended both Claims 10 and 16 to incorporate the limitation of manually positioning the running board, but have retained the limitation of the position switch in the respective dependent claims to provide Applicants with claims of variable scope to which Applicants are entitled. Dependent Claims 14 and 17 have been amended to reflect the changes made to the respective independent claim. Applicants respectfully submit that Berkebile contains no teaching or suggestion that the stored position of the running board can be established manually. Accordingly, Applicants respectfully request that amended independent Claims 10 and 16, and the claims dependent thereon, be passed to allowance.

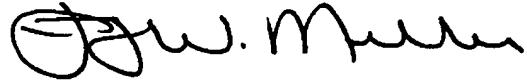
In view of the amendments made above, Applicants respectfully request that this rejection be reconsidered and withdrawn.

2. Applicants appreciate the indication of allowable subject matter in dependent Claims 2 – 9, 14, and 17 – 20. In response hereto, Applicants have placed Claim 2 into independent form, and have used limitations from Claims 14 and 17 in amendments to overcome the rejections under 35 U.S.C. §102(e). Applicants respectfully request that these dependent claims be passed to allowance with the amended independent claims from which they respectively depend.

3. In summary, Claims 2, 10, 14, 16 and 17 have been amended, Claims 1 and 15 have been canceled, and Claims 2 – 14 and 16 – 20 remain in the application. Applicants believe that the claims are allowable based on the foregoing amendments. Applicants respectfully request that all objections and rejections be reconsidered and withdrawn and that all claims remaining in this case be allowed.

Pursuant to currently recommended Patent Office practice, the Examiner is expressly authorized to call the undersigned attorney if in his judgment disposition of this application could be expedited or if he considers the case ready for final disposition by other than allowance.

Respectfully submitted,



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